

the age of 18 years (the “Statutory Beneficiaries”). The decedent was not married at the time of her death.

4. All but one of the statutory beneficiaries have executed a written Agreement Regarding Distribution of Settlement Proceeds (the “Agreement”), attached hereto as Exhibit B. In the Agreement four of the five Statutory Beneficiaries agree to the payment of specified attorney fees and expenses associated with the underlying case, and they further agree to the payment of any liens, followed by the distribution of the net proceeds in equal portions. In the Agreement, the Statutory Beneficiaries also waive notice and participation in any approval hearing by the Court.

5. Statutory Beneficiary Thomas F. Gaskins has acknowledged his position as a Statutory Beneficiary of this wrongful death estate and has informed counsel for the estate that he does not wish to participate in this legal matter and declines and disavows any claim in this settlement agreement. Please see letter from Thomas F. Gaskins dated February 27, 2017, attached hereto as Exhibit C. In addition, Thomas F. Gaskins, being fully aware of his rights as a Statutory Beneficiary to proceeds of this wrongful death settlement, in addition to declining whatever portion of the settlement proceeds to which he may otherwise be entitled, has waived notice and the opportunity to participate in any hearing conducted by the court regarding the matter of the distribution of the proceeds of such settlement. Please see the waiver of Thomas F. Gaskins to Notice and Opportunity to be Heard, attached hereto as Exhibit D.

6. The only known lien associated with the settlement proceeds is the following:

a. Medicare	\$4,264.87
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The Medicare lien and its amount are confirmed in a letter from CMS dated March 23, 2017, a copy of which is attached hereto as Exhibit E.

B. This Court has already approved the Settlement Agreement, subject to a final distribution order.

7. On July 9, 2015, this Court approved the underlying Settlement Agreement, subject only to entry of a final distribution order approving the distributions to be made from the settlement proceeds. The proposed order attached hereto as Exhibit A accomplishes this.

8. The Petitioner and the Statutory Beneficiaries request entry of the proposed order without need of a hearing. In the event the Court prefers to conduct a hearing, the Petitioner asks that this petition be set for hearing on March 30, 2017 at 2:00, and that the Petitioner and Statutory Beneficiaries be allowed to appear by telephone rather than be required to travel from Virginia to appear in person.

Date: March 28, 2017

Respectfully Submitted

/s/Patrick T. Fennell
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Counsel for Larry D. Gaskins, Executor
of the Estate of Miriam G. Warren,
deceased.

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2017, I electronically filed the foregoing with the Clerk of the Court using the Court's CM/ECF system, which then sent a notification of electronic filing (NEF) to counsel of record. Additionally, a copy of this Petition with attachments has been delivered to each of the Statutory Beneficiaries, along with a notice of hearing, if necessary, for March 30, 2017 at 2:00 p.m.

/s/Patrick T. Fennell